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August 14, 2020

Honorable Sarah L. Cave
Southern District of New York
500 Pearl Street
New York, NY
10007-1312

RE: Gonzalez v. NYU Langone Hospitals, 18-CV-1797 (MKV)(SLC).

Dear Judge Cave:

I represent the Plaintiff in the above referenced matter before your honor. Plaintiff submits this letter in response to Defendant NYU Langone Hospitals letter filed August 13, 2020.

As Defendant suggested there were communications between counsel regarding Defendant's August 13, 2020 submission. Those communications, which are rather brief, are attached to this letter for your honor's reference.

In summary of those communications, I received a proposed copy of Defendant's letter to you, your honor. In response, I pointed out that Federal Rule of Civil Procedure (F.R.C.P.) 30(e) had been implicated. Thus requiring Plaintiff to review the transcription of her testimony and provide any changes, in accordance with F.R.C.P. 30(e). Defendant seemingly agreed with my assessment. Thus, according to F.R.C.P. 30(e), discovery cannot conclude until this thirty (30) day period concludes. *See generally* F.R.C.P. 30(e). Allowing for additional time for discovery to comply F.R.C.P. 30(e) is wise as Defendant has indicated that it would like to make a F.R.C.P. 56 motion.

In reference to Defendant's request for a pre-motion conference before Judge Vyskocil, Plaintiff does not oppose, but will say, that nothing that has been disclosed during fact discovery has precluded the finding of a *prima facie* pleading as found by Judge Engelmayer. *See* Docket # 82.

Thank you for your attention to this letter. If there is any way I may assist your honor in determining the positions of Plaintiff and Defendant, please do let me know.

Kind regards,

/s/Kareem E. Abdo

Kareem E. Abdo, Esq.

CC: William F. Cusack, Esq.
Josef K. Mensah, Esq.

Enclosure(s)


SARAH L. CAVE
United States Magistrate Judge

In light of Defendant's status report stating that discovery has closed (ECF No. 116) and Plaintiff's conflicting letter stating that discovery cannot close for an additional 30 days (ECF No. 117), the parties are directed to file a **joint** letter by **Monday, August 17, 2020**, confirming whether discovery closed on the August 3, 2020 deadline or requesting an extension. Although Plaintiff filed the letter (ECF No. 117) as a motion, it does not request anything. The Clerk of Court is respectfully directed to close ECF No. 117 as improperly filed.

SO-ORDERED 8/14/2020